



## Croydon Shire Council

# Alcohol and Other Drugs Policy

### Document Control

Responsible Officer:

Chief Executive Officer

CEO Signature:



Date:

Category (tick):

- ☒ **Policy**      *Council resolution required*  
☐ **Procedure**      *CEO approval required*  
☐ **Guideline**      *CEO approval required*

Approval date	Head Policy #	Reference Number	Reason/Comment	Next review
19/08/2010			New Policy	
19/01/2023	NA	POL STRAT 05	Review and new template	Jan 2025
17/07/2025	NA	POL STRAT 05	Review and new template. Title aligned with current terminology	July 2027

## Purpose

The purpose of this policy is to outline Croydon Shire Council's ("**Council**") expectations regarding the use of alcohol and/or other drugs which can impair a Worker's ability to perform work in a safe, effective and efficient manner and can also lead to unacceptable behaviour towards others.

This policy is supported by Council's Workplace Health and Safety Alcohol and Other Drugs Management Procedure.

## Scope

This policy applies to:

- All Council Workers, as defined below;
- Job Applicants.

This policy does not form part of any Employee's contract of employment. The policy is not intended to override the terms of any award, certified agreement or contract that applies to an Employee.

The obligations contained in this Policy extend to all functions and places that are work-related. A "work-related function" is any function that is connected to work. For example, conferences, work lunches or meetings, Christmas parties, client functions etc.

Workers must comply with this Policy at all work-related functions. Any reference to work in this Policy includes a work-related function. This Policy also applies when workers go to other workplaces in connection with work, for example when visiting a customer, client or supplier.

## Background

Alcohol and other drug use (including prescription, over the counter and illegal drugs), whether it occurs in or away from the workplace, may become a workplace health and safety issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at work is impaired.

Workers who are unfit for work as a result of alcohol and/or other drug use put themselves and other people at the workplace at risk of both physical and psychological harm.

## Legislation

- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2011
- Local Government Act 2009
- Local Government Regulation 2012
- Industrial Relations Act 2016
- Industrial Relations Regulations 2018
- Liquor Act 1992

## Definitions and explanation of terms

Term	Definition
<b>Alcohol</b>	Liquor as defined in the <i>Liquor Act 1992 (Queensland)</i> .
<b>Authorised Officer</b>	A Worker's Director or Manager, the Director of Corporate Services (or their delegate) or the Workplace Health and Safety Advisor.
<b>BrAC</b>	Breath Alcohol Concentration.

<b>Employee</b>	All employees of Council, whether employed on a permanent, temporary, casual or part-time basis.
<b>Illegal Drug</b>	Any drug prohibited by any State, Territory or Federal law in Australia or any other laws (including foreign and international laws) to which Council is subject to, or which apply to the work performed by Workers and includes prescription or over the counter medications which are used without the necessary prescription or for purposes which they are not intended.
<b>Qualified Workplace and Alcohol and Drug Tester</b>	A person who has been trained and assessed as competent in the use of Alcohol and /or other Drugs testing equipment in accordance with the Australian Quality Training Framework (AQTF) requirements.
<b>WHS Act</b>	Work Health and Safety Act 2011 (QLD)
<b>Worker</b>	<p>Under the WHS Act, A person is a <b>Worker</b> if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:</p> <ul style="list-style-type: none"> <li>• an employee; or</li> <li>• a contractor or subcontractor; or</li> <li>• an employee of a contractor or subcontractor; or</li> <li>• an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or</li> <li>• an outworker; or</li> <li>• an apprentice or trainee; or</li> <li>• a student gaining work experience; or</li> <li>• a volunteer; or</li> <li>• a person of a prescribed class.</li> </ul>

## Responsibilities

<b>Chief Executive Officer (CEO), Directors, Managers and Supervisors</b>	<p>Will ensure:</p> <ul style="list-style-type: none"> <li>• This policy and associated documents are communicated and available to all Workers;</li> <li>• Workers are supported to understand the application of this policy and accompanying management procedure;</li> <li>• Workers comply with this policy;</li> <li>• The Chief Executive Officer is informed of any breaches of this policy.</li> </ul>
<b>Workers</b>	<p>Will ensure that they:</p> <ul style="list-style-type: none"> <li>• Comply with the requirements of this policy;</li> <li>• Do not commence or return to work while under the influence of alcohol and/or other drugs;</li> <li>• Do not work while under the influence of alcohol and/or other drugs;</li> <li>• Do not remain at work if they become affected by alcohol and/or other drugs;</li> <li>• Do not bring, sell, dispense or consume illegal drugs at work or during work hours (even whilst off site); or at workcamps;</li> <li>• Do not bring, possess, dispense or consume alcohol at work or during work hours (even whilst off site) unless authorised by the CEO;</li> <li>• Advise their supervisor or manager if they suspect another worker is affected by alcohol or other drugs</li> </ul>

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## Policy

### Alcohol at Work

- The allowable limit for a Worker while at work, or during work hours (including while off-site), is a Breath Alcohol Concentration (BrAC) of 0.00%, unless otherwise stated in the Alcohol and Other Drugs Management Procedure and approved by the Chief Executive Officer;
- Alcohol shall not be brought onto, stored or consumed in Council workplaces, including vehicles, unless approved by the Chief Executive Officer;
- Where Council has allowed the consumption of alcohol on Council worksites or at Council functions or events, responsible service and consumption of alcohol must be adhered to at all times.

### Other drugs

- All workers are required to be able to produce a negative test result for illegal drugs and/or prescription or over the counter medications in accordance with the limits set in the Australian Standards, unless authorised by the Chief Executive Officer in accordance with the requirements for medication below;
- No illegal drugs shall be bought into, kept, consumed or stored in any Council workplace including, but not limited to, vehicles, offices, depots and work camps.

### Prescription and Over the Counter (Pharmacy) Medications

“**Medication**” is defined in this policy as meaning a prescription or over the counter medication which may impact upon a Worker’s ability to perform their role safely, effectively or efficiently, or may return a Non-Negative Result if subjected to a Drug test.

For the purpose of this policy, Medication **does not include**:

- a) prescription or over the counter medications which are used without the necessary prescription or used not in accordance with the prescription or used for purposes for which they are not intended;
- b) the prescription of medicinal cannabis containing the active compound tetrahydrocannabinol (THC) in any form which may impact upon a Worker’s ability to perform their role safely or efficiently or may return a Non-Negative Result if subjected to a Drug test; or
- c) an Illegal Drug.

A Worker is not required to reveal the nature of the condition being treated or the type of medication, only that they are taking medication which has the potential to adversely impact upon safety.

If a Worker is using Medication, they must:

- Seek advice and direction from their medical practitioner as to whether any medication that they consume (prescription, over the counter or otherwise) could potentially create a risk of impairment in the context of the performance of the Worker’s duties, and/or whether the medication may show in a drug test;
- If so, immediately advise Council that they are taking the medication prior to performing any duties (this obligation is ongoing throughout the course of the Worker’s engagement at Council and during pre-employment in the case of job-applicants);
- Inform their Director, Manager or Supervisor prior to undertaking work if the medication has the potential to adversely influence their capacity to work safely, effectively or efficiently, or may return a Non-Negative Result if subjected to a drug test; and
- Provide medical evidence from their medical practitioner certifying that they are able to work safely, effectively and efficiently (considering the Worker’s position requirements).

Taking into account the medical evidence from the medical practitioner, if a Worker's ability to safely, effectively and efficiently perform their work is impaired (or likely to be impaired), Council will undertake a risk assessment to determine whether suitable duties can be identified and allocated in these circumstances.

### **Limitation of Insurance Cover**

Workers whose faculties are impaired by any drug or intoxicating liquor may forfeit any entitlement to insurance cover and may be found to be legally liable for personal, property and third-party damage.

### **Alcohol and Other Drugs Testing**

Testing for Alcohol and Other Drugs is carried out in accordance with the relevant Australian Standards by a Qualified Workplace Drug and Alcohol Tester.

Workers may be required to participate in testing for Alcohol and Other Drugs as outlined below:

- Pre-employment testing;
- Reasonable belief that a Worker is affected by alcohol and / or other drugs;
- Random testing;
- Testing after a workplace health and safety incident;
- Return to Work and Rehabilitation Program;

Workers may also ask to participate in Voluntary Self-Testing.

### **Confidentiality**

Worker test results constitute personal information under the relevant legislation. As such, test results will be dealt with in accordance with the principles outlined in the relevant legislation

### **Employee Assistance Program**

Council recognises that some Workers may require support or assistance with alcohol and other drug issues and will encourage the Worker to engage support services including Council's Employee Assistance Program (EAP).

Council's Employee Assistance program is a free and confidential service and is available to Council employees and all members of their household regardless, whether they work for Council or not.

### **Awareness**

All workers shall be made aware of this policy and the associated procedure on commencement of employment/engagement and regularly thereafter.

Awareness programs will be conducted through various formats to provide information to workers on issues around the use of alcohol and other drugs.

### **Breach of this Policy**

Disciplinary action for breach of policy may be taken in accordance with the actions detailed in the Alcohol and Other Drugs Management Procedure and/or in line with Council's Code of Conduct and other related policies.

### **Related Documents**

- Croydon Shire Council Code of Conduct
- Croydon Shire Council Work Health and Safety Policy Statement
- AS/NZS 4308:2008 (or successor standard) - Procedures for specimen collection and the detection and quantification of drugs in urine
- AS/NZS 4760:2019 (or successor standard) - Procedure for specimen collection and the detection and quantification of drugs in oral fluid
- AS 3547:2019 (or successor standard) - Breath Testing Devices

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**WORKER ACKNOWLEDGEMENT**

**All Workers:**

Please complete the declaration below.  
Once signed, the page should be returned to the Chief Executive Officer.

**ALCOHOL AND OTHER DRUGS POLICY**

*I acknowledge:*

- *receiving the Council Policy;*
- *that I must comply with the policy; and*
- *that there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment.*

Your name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_